

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NEW WALLINGTON HOME, LLC, a
New Jersey limited liability company;
and MORNINGSIDE AT
WALLINGTON, LLC, a New Jersey
limited liability company,

Plaintiffs,

vs.

BOROUGH OF WALLINGTON;
BOROUGH OF WALLINGTON
PLANNING BOARD; MARK W.
TOMKO, in his official capacity as
former Mayor of the Borough of
Wallington; DOROTHY B. SIEK, in
her official capacity as former Tax
Collector for the Borough of
Wallington; and CHRISTOPHER
ASSENHEIMER, in his official
capacity as Certified Tax Collector of
the Borough of Wallington,

Defendants.

Civil Action No. 2:20-cv-08178

**CONSENT ORDER SETTING
DEADLINES FOR EXPERT
DISCOVERY**

THIS MATTER having come before the Court on the joint application of Plaintiffs New Wallington Home, LLC (“NWH”), and Morningside at Wallington, LLC (“MAW”) (collectively, “Plaintiffs”), and Defendants Borough of Wallington (“Borough”), Borough of Wallington Planning Board (“Board”), and Christopher Assenheimer, in his official capacity (collectively, “Defendants”) (and together

with Plaintiffs, the “Parties”), for entry of this Consent Order setting forth the following expert deadlines, and good cause having been show;

IT IS ON THIS _____ day of _____, 2025:

ORDERED that the parties shall complete expert discovery in accordance with the following schedule:

- (1) Plaintiffs’ expert report(s) will be served by no later than June 30, 2025;
- (2) Defendants’ expert report(s) will be served by no later than August 29, 2025; and
- (3) Expert depositions are to be completed by October 13, 2025.

ACCEPTED AND AGREED BY:

O’TOOLE SCRIVO, LLC
Attorneys for Plaintiffs

s/James DiGiulio
James DiGiulio

Dated: May 2, 2025

PFUND MCDONNELL, P.C.
Attorneys for Defendants

s/ Gerald A. Shepard
Gerald A. Shepard

Dated: May 2, 2025

SO ORDERED:

Honorable Andre M. Espinosa
United States Magistrate Judge